

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant or Patentee: Robert R. Brubaker, Vladimir L. Motin and George B. Smirnov
 Serial or Patent No.: filed herewith
 Filed or Issued: filed herewith Attorney Docket No. MSUN 0105 PUS
 For: A RECOMBINANT PLASMID AND A METHOD OF CONTROLLING THE EFFECTS OF YERSINIA PESTIS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(f) and 1.27(d)) - NON-PROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the non-profit organization identified below:

NAME OF NON-PROFIT ORGANIZATION MICHIGAN STATE UNIVERSITY
 ADDRESS OF NON-PROFIT ORGANIZATION 238 Administration Bldg., East Lansing, Michigan 48824

TYPE OF NON-PROFIT ORGANIZATION:

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
☐ NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (Name of State _____) (Citation of Statute _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NON-PROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (Name of State _____) (Citation of Statute _____)

I hereby declare that the non-profit organization identified above qualifies as a non-profit organization as defined in 37 C.F.R. 1.9() for purposes of paying reduced fees to the U.S. Patent and Trademark Office regarding the invention entitled:

A RECOMBINANT PLASMID AND A METHOD OF CONTROLLING THE EFFECTS OF YERSINIA PESTIS
 by inventor(s) Robert R. Brubaker, Vladimir L. Motin and George B. Smirnov
 described in:

- ☒ the specification filed herewith
☐ application Serial No. _____, filed _____
☐ Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the non-profit organization regarding the above identified invention.

If the rights held by the non-profit organization are not exclusive, each individual, concern or organization having rights in the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a non-profit organization under 37 C.F.R. 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. 1.27).

NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NON-PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name and Title of Person Signing Stephen H. Terry, Assistant Vice President for Finance
 Address of Person Signing 412 Administration Building, MSU
East Lansing, MI 48824

Signature  Date 9/7/94

DECLARATION FOR PATENT APPLICATION

Docket No. MSUN 0105 PUS (93-034)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled A RECOMBINANT PLASMID AND A METHOD OF CONTROLLING THE EFFECTS OF YERSINIA PESTIS

the specification of which

(check one) ☒ [X] is attached hereto.☐ [] was filed on _____; as Application Serial No. _____.

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status - patented, pending, abandoned)
_____	_____	_____

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ernie L. Brooks, Reg. No. 26,260; James A. Kushman, Reg. No. 25,634; Ralph M. Burton, Reg. No. 17,748; William J. Schramm, Reg. No. 24,795; David R. Syrowik, Reg. No. 27,956; Mark A. Cantor, Reg. No. 30,614; Robert C.J. Tuttle, Reg. No. 27,962; Earl J. LaFontaine, Reg. No. 30,766; Ronald M. Nabozny, Reg. No. 28,648; Thomas A. Lewry, Reg. No. 30,770; William G. Abbott, Reg. No. 31,936; Kevin J. Heintz, Reg. No. 29,805; John E. Nemazi, Reg. No. 30,876; Robert C. Brandenburg, Reg. No. 29,048; Paul M. Schwartz, Reg. No. 33,278; Robert F. Hess, Reg. No. 22,038; Frederick M. Ritchie, Reg. No. 18,669; Donald J. Harrington, Reg. No. 17,427; John A. Artz, Reg. No. 25,824; Timothy G. Newman, Reg. No. 34,228; Keith L. Zerschling, Reg. No. 18,496; John M. Halan, Reg. No. 35,534; Jeffrey M. Szuma, Reg. No. 35,700; Richard J. Schulte, Reg. No. 35,350; Robert C. Jones, Reg. No. 35,209; A. Frank Duke, Reg. No. 20,937; James R. Ignatowski, Reg. No. 26,741; William G. Conger, Reg. No. 31,209; Sangeeta G. Shah, Reg. No. P-38,614; Anna M. Shih, Reg. No. 36,372.

Address all correspondence and telephone calls to William J. Schramm at Brooks & Kushman P.C., 1000 Town Center, Twenty-Second Floor, Southfield, Michigan 48075, (313) 358-4400.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor ROBERT R. BRUBAKERInventor's signature Robert R. Brubaker Date Sept. 6, 1994Post Office Address same as residence Citizenship USAResidence 11042 W. Scipio Hwy, VERMONTVILLE, MI 49096Full name of second joint inventor, if any VLADIMIR L. MOTINInventor's signature Vladimir L. Motin Date 9/6/94Post Office Address same as residence Citizenship RussiaResidence 6138 FARRINGTON, #DIO, E. LANSING, MI 48823

Full name of third joint inventor GEORGE B. SMIRNOV
Inventor's signature [Signature] Date _____
Post Office Address same as residence Citizenship Russia
Residence _____

DECLARATION FOR PATENT APPLICATION

Docket No. MSUN 0105 PUS (93-034)

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My residence, post office address and citizenship are as stated below next to my name.

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the specification of which

(check one) ☐ is attached hereto.
☒ was filed on September 8, 1994; as Application Serial No. 08/302,423
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
(Number)	NONE (Country)	(Day/Month/Year Filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

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(Application Serial No.)	NONE (Filing Date)	(Status - patented, pending, abandoned)
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Full name of sole or first inventor ROBERT R. BRUBAKER

Inventor's signature _____ Date _____

Post Office Address same as residence Citizenship _____

Residence _____

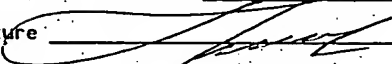
Full name of second joint inventor, if any VLADIMIR L. MOTIN

Inventor's signature _____ Date _____

Post Office Address same as residence Citizenship Russia

Residence _____

Full name of third joint inventor GEORGE B. SMIRNOV

Inventor's signature 

Date October 22, 1994

Post Office Address same as residence

Citizenship Russia

Residence

The Gamaleya Research Institute Epidemiology and Microbiology
Russian Academy of Medical Sciences, Gamaleya Street 18,
123098 Moscow, Russia.